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| In re Patent No. 6,913,236 | : | |
| David A. Weyandt | : | |
| Issue Date: July 5, 2005 | : | |
| Application No. 10/603,031 | : | DECISION ON REQUEST FOR |
| Filed: June 24, 2003 | : | CERTIFICATE OF CORRECTION |
| Attorney Docket No. 1-679 | : | |

This letter is in response to the "REQUEST FOR CERTIFICATE OF CORRECTION," filed July 25, 2005, requesting correction of the patent term adjustment indicated in the patent. Patentees request that the patent term adjustment read "22" not "0" days.

The request is **DISMISSED**.

Patentee is given **THIRTY (30) DAYS** to respond to this decision. No extensions of time will be granted under § 1.136(a).

On July 5, 2005, the above-identified application matured into U.S. Patent No. 6,913,236 with a revised patent term adjustment of 0 days. The instant request was filed on July 25, 2005, within two months of the issuance of the patent.

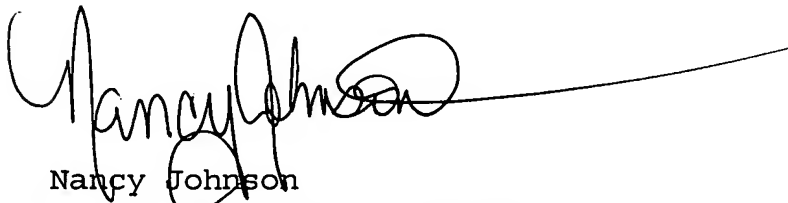
Issuance of a certificate of correction under § 1.322 is permitted if an error in the patent is shown. No error in the patent has been shown. The patent term adjustment indicated in the patent reflects the patent term adjustment shown in the PAIR system for this application. After the mailing of the notice of allowance, the initial PTA of 22 days was reduced by 86 days for applicant's filing of drawings after the mailing of the notice of allowance. See § 1.704(c)(10). Since zero days of PTA is

the correct value for PTA, no certificate of correction will be issued to change the PTA under 37 C.F.R. § 1.322 (or § 1.323).

Patentees are advised that the filing of a certificate of correction is not an alternative to the procedure set forth in 37 CFR § 1.705. Patentees contesting the underlying determination, rather than an alleged printing error, have to avail themselves of the time frames stated in § 1.705(d). Moreover, § 1.705(d), states "any request for reconsideration of the patent term adjustment indicated in the patent must be filed within 2 months of the date the patent issued and must comply with the requirements of paragraphs (b)(1) and (b)(2) of this section." Thus, the request must be timely filed and must include payment of the required fee.

Consideration of the accompanying request for correction "In the Claims" is being considered by the Certificates of Correction branch.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", with a long horizontal line extending to the right.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions